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FAX TRANSMISSION**DATE:** October 25, 2006**PTO IDENTIFIER:** Application Number 10/570,645
Patent Number**Inventor:** Hilmar Gugel**MESSAGE TO:** US Patent and Trademark Office**FAX NUMBER:** (571) 273-8300**FROM:** DARBY & DARBY P.C.

Erik R. Swanson

PHONE: (212) 527-7700**Attorney Dkt. #:** 20793/0204537-US0**PAGES (Including Cover Sheet):** 6**CONTENTS:**Certificate of Transmission (1 page)
Power of Attorney to Prosecute Application Before the USPTO (1 page)
Statement Under 37 CFR 3.73(b) (1 page)
Copy of previously recorded Assignment (2 pages)

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OCT 25 2006

PTQ/\$B/87 (09-08)

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Application No. (If known): 10/570,645

Attorney Docket No.: 20793/0204537-US0

Certificate of Transmission under 37 CFR 1.8

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on October 25, 2006
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Judy Yaddo
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Judy Yeddo

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Power of Attorney to Prosecute Application Before the USPTO (1 page)

Statement Under 37 CFR 3.73(b) (1 page)

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STATEMENT UNDER 37 CFR 3.73(b)Applicant/Patent Owner: Leica Microsystems CMS GmbHApplication No./Patent No./Control No.: 10/570,645 Filed/Issue Date: March 3, 2006Entitled: RASTER MICROSCOPELeica Microsystems CMS GmbH, a Corporation
(Name of Assignee) (Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is:

1. ☒ the assignee of the entire right, title, and interest; or
2. ☐ an assignee of less than the entire right, title and interest.
(The extent (by percentage) of its ownership interest is _____ %)

in the patent application/patent identified above by virtue of either:

- A. ☒ An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the United States Patent and Trademark Office at Reel _____, Frame _____, or a true copy of the original assignment is attached.

OR

- B. ☐ A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as follows:

1. From: _____ To: _____
The document was recorded in the United States Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.
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The document was recorded in the United States Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.

☐ Additional documents in the chain of title are listed on a supplemental sheet.

As required by 37 CFR 3.73(b)(1)(i), the documentary evidence of the chain of title from the original owner to the assignee was, or concurrently is being, submitted for recordation pursuant to 37 CFR 3.11.
(NOTE: A separate copy (i.e., a true copy of the original assignment document(s)) must be submitted to Assignment Division in accordance with 37 CFR Part 3, to record the assignment in the records of the USPTO. See MPEP 302.08)

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.

Erik R. Swanson
Signature10/13/06
DateErik R. Swanson
Printed or Typed Name(212) 527-7700
Telephone NumberRegistration Number 40,833
Title

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OCT 25 2006

ASSIGNMENT

Docket No.: 5005.1109

WHEREAS, I (We), Hilmar GUGEL, residing at Konrad-Adenauer-Strasse 23B, 69221 Dossenheim, Germany; ASSIGNOR(S), have invented certain new and useful improvements in RASTER MICROSCOPE, an application for a Patent of the United States (for) which:

____ I (we) am (are) about to execute;
____ was executed on _____ (date(s));
☒ is identified by Davidson, Davidson & Kappel, LLC, Docket No. 5005.1109;
____ was filed on _____ Serial No. _____
☒ I (we) hereby authorize and request our attorney, Davidson, Davidson & Kappel, LLC of 485 Seventh Avenue, 14th Floor, New York, New York 10018 to insert here in parentheses (Application number _____, filed _____) the filing date and application number of said application when known; and

WHEREAS, Leica Microsystems CMS GmbH, Ernst-Leitz-Strasse 17-37, 35578 Wetzlar, Germany, ASSIGNEE, is desirous of obtaining the entire right, title and interest in, to and under the said invention and the said application:

NOW, THEREFORE, in consideration of the sum of One Dollar (\$1.00) to me (us) in hand paid, and other good and valuable consideration, the receipt of which is hereby acknowledged, I (we), the said ASSIGNOR(S), have sold, assigned, transferred and set over, and by these presents do hereby sell, assign, transfer and set over, unto the said ASSIGNEE, its successors, legal representatives and assigns, the entire right, title and interest in, to and under the said invention, and the said United States application and all divisions, renewals and continuations thereof, and all Patents of the United States which may be granted thereon and all reissues and extensions thereof; and all applications for industrial property protection, including, without limitation, all applications for patents, utility models, and designs which may hereafter be filed for said invention in any country or countries foreign to the United States, together with the right to file such applications and the right to claim for the same the priority rights derived from said United States application under the Patent Laws of the United States, the International Convention for the Protection of Industrial Property, or any other international agreement or the domestic laws of the country in which any such application is filed, as may be applicable; and all forms of industrial property protection, including, without limitation, patents, utility models, inventors' certificates and designs which may be granted for said invention in any country or countries foreign to the United States and all extensions, renewals and reissues thereof; and

I (WE) HEREBY authorize and request the Commissioner of Patents and Trademarks of the United States, and any Official of any country or countries foreign to the United States, whose duty it is to issue patents or other evidence or forms of industrial property protection on applications as aforesaid, to issue the same to the said ASSIGNEE, its successors, legal representatives and assigns, in accordance with the terms of this instrument; and

I (WE) HEREBY covenant and agree that I (we) have full right to convey the entire interest herein assigned, and that I (we) have not executed, and will not execute, any agreement in conflict herewith; and

I (WE) HEREBY further covenant and agree that I (we) will communicate to the said ASSIGNEE, its successors, legal representatives and assigns, any facts known to me (us)

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ASSIGNMENT

Docket No.: 5005.1109

respecting said invention, and testify in any legal proceeding, sign all lawful papers, execute all divisional, continuing, reissue and foreign applications, make all rightful oaths, and generally do everything possible to aid the said ASSIGNEE, its successors, legal representatives and assigns, to obtain and enforce proper protection for said invention in all countries.

IN TESTIMONY WHEREOF, I (we) hereunto set my (our) hand(s) and seal(s) the day and year set opposite my (our) signature(s).

Dated: Feb 21 2006
Hilmar GUGEL